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8 Counsel for Defendant TORRES

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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14 SAN JOSE DIVISION

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19 UNITED STATES OF AMERICA,) No. CR 14-00254 DLJ
20 Plaintiff,)
21 vs.) STIPULATION AND []
22 SIMON LAWRENCE TORRES,) ORDER CONTINUING HEARING TO
23 Defendants.) JULY 24, 2014, AND EXCLUDING TIME
24) UNDER THE SPEEDY TRIAL ACT
25)
26)

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18 **STIPULATION**

19 The defendant and the government, acting through their respective counsel, hereby
20 stipulate, subject to the Court's approval, that the status hearing date currently set for June 19,
21 2014, be vacated and continued to July 24, 2014, at 9:00 a.m.

22 The reason for the requested continuance is defense counsel will be unavailable on June
23 19, 2014, the date now set for Mr. Torres's initial district court appearance. Defense counsel will
24 be out of the district attending a two week seminar. Additionally, defense counsel's review of the
25 discovery that has been provided in this matter and investigation remains on-going. The parties
26 therefore respectfully requests a continuance and exclusion of time based on defense counsel's

1 need to effectively prepare and continuity of counsel.

Accordingly, the parties agree and stipulate that time should be excluded from June 19,
2014, through and including July 24, 2014, under the Speedy Trial Act, 18 U.S.C. §
3161(h)(7)(A) and (B)(iv), for effective preparation, and (h)(7)(B)(iv), continuity of counsel.
The defendant and the government further agree that granting the requested exclusion of time will
serve the interest of justice and the ends of justice outweigh the interest of the public and the
defendant in a speedy trial.

IT IS SO STIPULATED.

o || Dated: June 12, 2014

VARELL L. FULLER /s/
Assistant Federal Public Defender

Dated: June 12, 2014

/s/
DANIEL R. KALEBA
Assistant United States Attorney

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[] ORDER

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
ORDERED that the status hearing currently set for June 19, 2014, shall be continued to July 24,
2014, at 9:00 a.m.

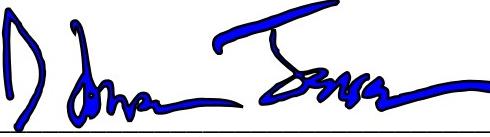
THE COURT FINDS that failing to exclude the time between June 19, 2014, July 24, 2014, would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and deny the defendant continuity of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv) and (h)(7)(B)(iv).

1 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
2 between June 19, 2014, and July 24, 2014, from computation under the Speedy Trial Act
3 outweigh the interests of the public and the defendants in a speedy trial.

4 THEREFORE, IT IS HEREBY ORDERED that the time between June 19, 2014, and July
5 24, 2014, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
6 3161(h)(7)(A), (B)(iv), and (h)(7)(B)(iv).

7 IT IS SO ORDERED.

8 Dated: 1st July 2014


9 THE HONORABLE D. LOWELL JENSEN
10 United States District Court Judge

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